

Box Seq
Sector #15

PATENT
Attorney Docket No. 03495-0206-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Application of:
Boursaux-Eude, et al.

Serial No.: 09/855,754

Group Art Unit: Not yet assigned

Filed: May 16, 2001

Examiner: Not yet assigned

For: Polypeptides Containing
Polymorphisms of the Repeated
Regions of Pertactin in *Bordetella*
Pertussis, *Bordetella Parapertussis*,
and *Bordetella Bronchiseptica*, Their
Use in Diagnostics and in Immunogenic
Compositions

TRANSMITTAL LETTER

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Enclosed is a reply to the Notice to File Missing Parts of Nonprovisional Application of June 11, 2001. The items checked below are appropriate:

- ☒ [X] Sequence Listing, on disk and paper copy.
- ☒ [X] Petition for Extension of Time.
- ☒ [X] Preliminary Amendment.
- ☒ [X] Declaration/Power of Attorney.
- ☒ [X] A fee of \$710 to complete the basic filing fee is enclosed.

The claims are calculated below:

LAW OFFICES
FINNEGAN, HENDERSON,
FARABOW, GARRETT,
& DUNNER, L.L.P.
1300 I STREET, N. W.
WASHINGTON, DC 20005
202-408-4000

| | Claims Remaining After Amendment | | Highest Number Previously Paid | Present Extra | Rate | Additional Fee |
|--|-------------------------------------|---|-----------------------------------|------------------|---------|-------------------|
| Total | 1 | - | (20) | 0 | x \$ 18 | \$0 |
| Indep. | 1 | - | (3) | 0 | x \$ 80 | 0 |
| [] First Presentation of Multiple Dep. Claim(s) | | | | | +\$270 | 0 |
| Subtotal | | | | | | \$0 |
| Reduction by ½ if small entity | | | | | | - |
| TOTAL | | | | | | \$0 |

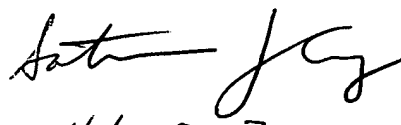
[X] A fee of \$130 to cover Filing of Missing Parts is enclosed.

[X] A fee to \$110 to cover a one month extension of time.

[X] A check for \$950 to cover the above fees is enclosed.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Date: September 10, 2001


 By: 46,063
 Kenneth J. Meyers
 Registration No. 25,146



PATENT
Attorney Docket No. 03495-0206-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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For: Polypeptides Containing)
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Pertactin in *Bordetella Pertussis*, *Bordetella*)
Parapertussis, and *Bordetella*)
Bronchiseptica, Their Use in Diagnostics)
and in Immunogenic Compositions)

Assistant Commissioner for Patents
Washington, D.C. 20231

Attention: **BOX MISSING PARTS**

Sir:

**RESPONSE TO NOTICE TO FILE
MISSING PARTS OF APPLICATION**

In response to the communication of June 11, 2001, Applicants submit a Declaration/Power of Attorney for filing in the above-identified application, the required fee of \$130.00, and a copy of the Notice of Missing Parts.

Applicants are submitting the basic filing fee and a Preliminary Amendment canceling claims 2-55. A Transmittal Letter is attached to explain the fees submitted.

Applicants are submitting a Sequence Listing in accordance with 37 C.F.R. § 1.821-1.825. A copy of the Sequence Listing in computer readable form is attached, accompanied by a verified statement that the paper and computer readable copies of the Sequence Listing are the same and that no new matter has been added to the

application. Applicants submit that this application conforms to the requirements of 37 C.F.R. § 1.821-1.825, and is in condition for examination on the merits.

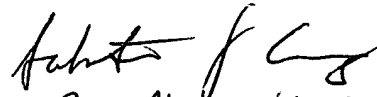
Please associate the enclosed documents with the above identified application.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: September 10, 2001

By:  Res No. 46,063
Kenneth J. Meyers
Reg. No. 25,146
Tel: (202) 408-4000
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Email: Ken.Meyers@finnegan.com



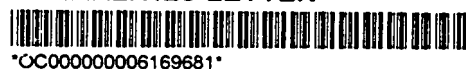
UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|------------------------|------------------------|
| 09/855,754 | 05/16/2001 | Caroline Boursaux-Eude | 03495.0206 |

CONFIRMATION NO. 8881

FORMALITIES LETTER



0000000006169681

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.
1300 I STREET, N.W.
WASHINGTON, DC 20005-3315

Date Mailed: 06/11/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

09/13/2001 MWOLDER1 00000161 09855754

FILED UNDER 37 CFR 1.53(b)

01 FC:101
02 FC:105

710.00 OP
130.00 OP

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).


- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$2218.
 - \$828 for 46 total claims over 20.
 - \$1120 for 14 independent claims over 3 .
 - \$270 for multiple dependent claim surcharge.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 3058.
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc)

sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

A copy of this notice MUST be returned with the reply.


Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE